IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.29226 of 2008
1. USHA DEVI
2. Guria Devi
Versus
STATE OF BIHAR
- - - -

2. 29.7.2008 Heard.

I believe that the petitioners did not really act in the right spirit which was appearing from this Court's order dated 17.3.2008 passed in Cr. Misc. No. 704 of 2008. The court below could appreciate the compromise only when the compromise petition has been filed and the wife appears in support of it before it. If the parties have compromised, I believe, no court shall refuse bail in a case under section 498A of the Indian Penal Code. The lower court could act as per the above.

The petition is accordingly disposed of.

Let this order be communicated to the Additional Chief Judicial Magistrate, Patna City in Ftuha p.S.Case No. 165 of 2004 through fax at the cost of the petitioners.

Kanth

(Dharnidhar Jha, J.)

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